

Committee on Education

CS/HB 7 — Individual Freedom

by Education and Employment Committee and Rep. Avila (SB 148 by Senators Diaz and Rodrigues)

The bill includes provisions designed to protect individual freedoms and prevent discrimination in the workplace and in public schools. The bill also conforms the identification of protected classes in the law prohibiting discrimination in Florida's K-20 educational system to those identified in federal law and the Florida Civil Rights Act.

Civil Rights in Employment and K-20 Education

The bill specifies that subjecting any individual, as a condition of employment, membership, certification, licensing, credentialing, or passing an examination, to training, instruction, or any other required activity; or subjecting any K-20 public education student or employee to training or instruction, that espouses, promotes, advances, inculcates, or compels such individual to believe the following concepts constitutes an unlawful employment practice or unlawful discrimination:

- Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- A person's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.
- Members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.
- A person, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin, or sex.
- Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, national origin, or sex to oppress members of another race, color, national origin, or sex.

However, training or instruction may include a discussion of such concepts if they are presented in an objective manner without endorsement.

Required Instruction

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The bill defines individual freedoms based on the fundamental truth that all individuals are equal before the law and have inalienable rights. Accordingly, required instruction, instructional materials, and professional development in public schools must be consistent with the following principles of individual freedom:

- No person is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex.
- No race is inherently superior to another race.
- No person should be discriminated against or receive adverse treatment solely or partly on the basis of race, color, national origin, religion, disability, or sex.
- Meritocracy or traits such as a hard work ethic are not racist but fundamental to the right to pursue happiness and be rewarded for industry.
- A person, by virtue of his or her race or sex, does not bear responsibility for actions committed in the past by other members of the same race or sex.
- A person should not be instructed that he or she must feel guilt, anguish, or other forms of psychological distress for actions, in which he or she played no part, committed in the past by other members of the same race or sex.

The bill authorizes discussion and curricula, in an age-appropriate manner, regarding topics such as sexism, slavery, racial oppression, racial segregation, and racial discrimination. However, the bill specifies that instruction and curricula may not be used to indoctrinate or persuade students to a particular point of view inconsistent with the principles of individual freedom or state academic standards.

The bill requires the State Board of Education to develop or adopt a “Stories of Inspiration” curriculum. This curriculum must consist of stories of American history that demonstrate important life skills and the principles of individual freedom that enabled individuals to prosper even in the most difficult circumstances.

The bill expands required instruction in the history of African-Americans. For example, the bill requires that African-American history instruction develop in students an understanding of the ramifications of prejudice, racism, and stereotyping on individual freedoms, and examine what it means to be a responsible and respectful person, for the purpose of encouraging tolerance of diversity and for nurturing and protecting democratic values and institutions.

The bill shifts the character development requirements for grades 9 through 12 and the mental and emotional health component of health education into newly required education on life skills, which specifies content intended to build confidence, support mental and emotional health, and enable students to overcome challenges.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 24-15; House 74-41